



UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
-----------------	-------------	----------------------	---------------------

09/025, 856 02/19/98 SUDO

T 862.2176

005514 WM02/0823
FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK NY 10112

EXAMINER

WONG, A

ART UNIT	PAPER NUMBER
----------	--------------

2613

DATE MAILED:

08/23/01

18

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary	Application No.	Applicant(s)
	09/025,856	SUDO, TOSHIYUKI
	Examiner	Art Unit
	Allen Wong	2613

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 26 July 2001.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1,3-11,15-27 and 31-44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1,3-11,15-27 and 31-44 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>15</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

Applicant's arguments filed 7/26/01 have been fully read and considered but they are not persuasive.

Regarding applicant's remarks on page 15, lines 17-19, applicant states that Isono does not disclose "changing the display state of the window when it is determined that the positional relationship is not proper". The examiner respectfully disagrees. As stated before in the previous Office Action, paper No. 14, the changing of the display state of the window is disclosed on Isono's column 4, lines 37-40 where Isono teaches the position and size of the window is changeable. The changing of the window size is considered to be a changing of the display state because when the window is enlarged or shrunk, then it is considered to change the view of display or the change of the display state. And as previously stated in the previous Office Action, paper No.14, Isono teaches the computer (Figure 1, element 20) is the means for determining whether the positional relationship is proper or not proper. Thus, Isono's element 20 determines that if the positional relationship is not proper, then the display state of the window is changed.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

Art Unit: 2613

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 and 3-11, 15-27 and 31-44 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Isono (5,315,377).

Regarding claims 1, 12, 14-16, 18, 28-32, and 34-44, Isono discloses an information processing apparatus which can be connected to an image display apparatus (figure 2, element 46) having stereoscopic vision control means (figure 2, element 28) for controlling directivity of a stereoscopic image to allow an observer to observe stripe images of the stereoscopic image with right and left eyes, respectively, comprising:

generation means (col.4, lines 32-38) for generating image data including a window to be located on a desired position of a display screen of said image display apparatus (col.4, lines 38-40; note a window is set, thus the window position and size can be "freely changed" for displaying the stereoscopic image) in which stripe parallax images corresponding to the right and left eyes are arranged so as to display a stereoscopic image (see fig.2);

determination (changing) means (figure 1, element 20 and col. 5, lines 37-40) for determining whether a relative positional relationship between the stereoscopic image displayed in the window generated by said generating means and said stereoscopic vision control means of said image display apparatus is a proper positional relationship which allows a proper stereoscopic vision (note that a computer determines whether a

relative positional relationship between the window and said stereoscopic vision control means of said image display apparatus is a proper positional relationship); and

adjustment (changing) means for (figure 1, element 20 and col. 5, lines 37-40), when said window is displayed on the screen and when said determination means determines that the positional relationship is not proper, adjusting the relative positional relationship to allow a proper stereoscopic vision by changing the display state of said window (note that a computer adjusts the relative positional relationship to allow a proper stereoscopic vision by changing of the state of window display).

Regarding claims 3, 4, 7, 8, 19, 20, 23, and 24, Isono discloses that changing means moves the window by a distance corresponding to a stripe pitch of the stripe image and that the amount of movement of the window is equal to a minimum pixel pitch of said stereoscopic image display (col. 4, lines 39-57, note that Isono discusses a "variable pitch" which means that the pitch can be adjusted to accommodate one's needs).

Regarding claims 5, 9, 21, and 25, Isono discloses a horizontal stripe image (figure 5, element 28A and 46A) in the screen.

Regarding claims 6, 10, 22, and 26, Isono discloses a vertical stripe image (figure 5, element 28B and 46B) in the screen.

Regarding claims 11 and 27, Isono discloses that said changing means interchanges odd and even stripe images (figure 5, element 56') constituting the stereoscopic image displayed in the window.

Art Unit: 2613

Regarding claim 13, Isono discloses that said changing means physically moves said stereoscopic vision control means (col. 7, lines 9-24).

Regarding claims 17 and 33, it is inherent that the execution period of said changing means is shortened, while the window is moved, for the changing means to execute the executed commands in an efficient manner.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Allen Wong whose telephone number is (703) 306-5978. The examiner can normally be reached on Mondays to Thursdays from 8am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Kelley can be reached on (703) 305-4856. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-5359 for regular communications and (703) 308-6306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

AW
August 21, 2001


CHRIS KELLEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600